

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No: 5936-11112

Inventor(s):

John T. McDevitt

## Pierre Floriano

**Nick Christodoulides**

Title: CAPTURE AND DETECTION  
OF MICROBES BY  
MEMBRANE METHODS

CERTIFICATE OF EXPRESS MAIL  
UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EV483430899US  
DATE OF DEPOSIT: January 24, 2005

I hereby certify that this paper (along with any paper and/or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:

Commissioner for Patents  
Alexandria, VA 22313-1450

Derrick Brown

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371**

INTERNATIONAL APPLICATION NO.: PCT/US03/23131
INTERNATIONAL FILING DATE: July 24, 2003
PRIORITY DATE CLAIMED: July 24, 2002
U.S. APPLICATION NO. (If known):

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☐ A translation of the International Application into English (35 U.S.C. § 371(c)(2)), including:  
a title page; \_\_\_\_\_ page specification; \_\_\_\_\_ page(s) of claims (claims \_\_\_\_\_ - \_\_\_\_\_); 1 page abstract.
5. ☐ Drawings  
☐ Formal Figure(s) \_\_\_\_\_ - \_\_\_\_\_ on \_\_\_\_\_ 1 sheet(s).
6. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))  
☐ is transmitted herewith (\_\_\_\_\_ pages).  
☐ has been transmitted by the International Bureau.  
☒ A copy of Form PCT/IB/308 (1 page) is enclosed.  
☒ is not required, as the application was filed in the United States Receiving Office (RO/US).

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7. ☒ A copy of the International Publication, Publication No. WO 2004/009840.
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))  
☐ are transmitted herewith (required only if not transmitted by the International Bureau).  
☐ have been transmitted by the International Bureau.  
☐ have not been made; however, the time limit for making such amendments has NOT expired.  
☐ have not been made and will not be made.
9. ☒ Amendments to the claims of the International Application under PCT Article 34  
☒ Statement under Article 34 (mailed September 17, 2003, mailed October 30, 2003)  
☒ Response to Written Opinion
10. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
11. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.  
☐ A copy of the Demand for International Preliminary Examination is enclosed.
12. ☒ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)):  
☐ is enclosed (\_\_\_\_ pages).  
☐ a combined Declaration and Power of Attorney is enclosed (\_\_\_\_ pages).  
☒ is not enclosed. Applicant requests the Patent and Trademark Office to accept this application and accord a serial number and filing date as of the date this application is deposited with the U.S. Postal Service for Express Mail. Further, Applicant requests that the NOTICE OF MISSING PARTS-FILING DATE GRANTED be sent to the undersigned representative of Applicant.
13. ☒ Applicant hereby claims priority to:  
☒ International Application No.: PCT/US2003/023131.  
☒ U.S. Provisional Application No.: 60/398,324, 60/398,203, 60/398,314, 60/398,235, 60/398,148.  
☒ A copy of Form PCT/IB/304 (1 page) indicating receipt of the priority document by the International Bureau is enclosed.
13. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).
14. ☒ The entire disclosure of the International Application referred to above is considered to be part of the accompanying application and is hereby incorporated by reference herein.
15. ☐ Assignment Papers.  
☐ An assignment document is enclosed for recording (\_\_\_\_ pages).  
☐ Form PTO-1595 Assignment Recordation Cover Sheet (\_\_\_\_ page).
16. ☒ A Preliminary Amendment (8 pages).
17. ☐ A substitute specification for pages \_\_\_\_ (\_\_\_\_ pages).
18. ☐ A strikethrough version of specification and abstract (\_\_\_\_ pages).
19. ☐ Power of Attorney  
☐ Is enclosed.  
☐ a combined Declaration and Power of Attorney is enclosed.
20. ☐ Information Disclosure Statement (IDS), including:  
☐ Form PTO-1449  
☐ Reference(s) marked according to Form PTO-1449.

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21. ☒ Return Receipt Postcard
22. ☒ Small Entity Status  
☐ A small entity statement is enclosed.  
☒ Small entity status is proper and is requested.
23. ☒ Copy of International Preliminary Examination Report.
24. ☒ The following fees are submitted:

<b>BASIC NATIONAL STAGE FEES</b>				
<input checked="" type="checkbox"/> Basic national fee.....				\$300.00
<input checked="" type="checkbox"/> Examination fee.....				\$200.00
<input checked="" type="checkbox"/> Search fee.....				\$500.00
ENTER APPROPRIATE BASIC NATIONAL FEE AMOUNT (as selected above):				\$1,000.00
Surcharge of \$130.00 for furnishing oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =	0	x \$50.00 =	
Independent claims	- 3 =	0	x \$200.00 =	
MULTIPLE DEPENDENT CLAIM(S)			+ \$360.00 =	
TOTAL OF ABOVE CALCULATIONS:				\$1,000.00
Reduction by 50% for Small Entity. A Small Entity Statement must be filed:				\$500.00
SUBTOTAL:				\$500.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date:				
TOTAL NATIONAL FEE:				\$500.00
Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property:				
TOTAL FEES ENCLOSED:				\$500.00

☒ A fee authorization in the amount of \$500.00 is enclosed.

☐ Please charge my Deposit Account No. 50-1505/ in the amount of to cover the above fees.

☒ The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C., Deposit Account No. 50-1505/5119-11112/EBM.

10/522926

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Please address all correspondence in connection with this application to customer number 35690:

Eric B. Meyertons  
Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.  
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Austin, Texas 78767  
Phone: (512) 853-8800 Fax: (512) 853-8801

Signature

Name

Eric B. Meyertons

Registration No.

34,876

Date

JAN 24, 2005

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Unknown  
Filed: Herewith  
Inventor(s):  
McDevitt et al.

Title: CAPTURE AND  
DETECTION OF  
MICROBES BY  
MEMBRANE METHODS

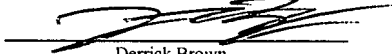
§ Examiner: Unknown  
§ Art Unit: Unknown  
§ Atty. Dkt. No: 5936-11112/EBM  
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Alexandria, VA 22313-1450

  
Derrick Brown

**FEE AUTHORIZATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin,  
Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5660-11112EBM.

\$500.00 – National Application Filing Fees

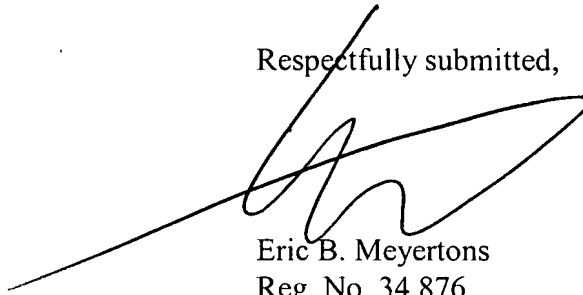
Total Amount: \$500.00

Attorney Docket No.: 5936-11112

McDevitt et al.

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Eric B. Meyertons', is written over the text 'Respectfully submitted,'.

Eric B. Meyertons  
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
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(512) 853-8800 (voice)  
(512) 853-8801 (facsimile)

Date: JAN 24, 2005